

Claim Amendments

1. (amended) A flax seed having a linolenic acid content of greater than ~~65~~70% of the total fatty acid content of said seed.
2. (amended) The flax seed of claim 1 wherein the linolenic acid content is ~~greater than~~ between 70%-80%.
3. (amended) A flax seed that is the product of a plant line designated M5791, wherein the linolenic acid content of said flax seed is greater than 70%.
4. (amended) A flax plant which produces seeds having a linolenic acid content of greater than ~~65~~70% of the total fatty acid content of said seed.
5. (amended) The flax plant of claim 4 wherein the linolenic acid content is ~~greater than~~ between 70%-80%.
6. (amended) A flax plant designated M5791, wherein the linolenic acid content of said flax seed is greater than 70%.
7. (amended) Progeny of a flax plant designated M5791, wherein said progeny produce seeds having a linolenic acid content of greater than ~~65~~70% of the total fatty acid content of said seed.
8. (amended) The progeny according to claim 7 wherein the linolenic acid content is ~~greater than~~ between 70%-80%.
9. (amended) Seeds from the flax plants of any one of claims 4, 5, 6, 7 or 8.
10. (previously cancelled)
11. (previously cancelled)
12. (previously cancelled)
13. (amended) A method of producing a flax plant line comprising the steps of:
(a) crossing a plant of a flax plant line designated M5791, wherein the linolenic

acid content of said flax seed is greater than 70%., or progeny thereof, with an agronomically elite flax plant; and

(b) selecting at least one descendant of said cross, said descendant producing seeds having a linolenic acid content of greater than ~~65~~70% relative to the total fatty acid content of said seed.

14. (previously cancelled)

15. (added) The flax seed of claim 1 wherein the linolenic acid content is between 70%-75%.

16. (added) The flax plant of claim 4 wherein the linolenic acid content is between 70%-75%.

17. (added) The progeny according to claim 7 wherein the linolenic acid content is between 70%-75%.

18. (added) The method according to claim 13 wherein the linolenic acid content is between 70-80%.

19. (added) The method according to claim 13 wherein the linolenic acid content is between 70-75%.

REMARKS:

Claims 3, 6, 7, 8, 9 and 13 were rejected under 35 USC 112 for failing to particularly and distinctly claim the subject matter which applicant regards as the invention. As discussed in greater detail below, a deposit for the strain designated M5791 is being prepared and will be submitted shortly. As soon as a deposit number is available from the seed depository, a voluntary amendment will be filed amending the claims to include this deposit number.